



Federal Program Compliance Division Program Monitoring Validations

ESSA Private Nonprofit Schools (PNP) Equitable Services

Timely and Meaningful Consultation to include
PNP Affirmations of Consultation

September 2025

Legal Disclaimer

1. This presentation is intended solely to provide general information and guidance to Texas LEAs, ESCs, non-profit subgrantees, and participating Private Schools receiving equitable services. The content in this presentation reflects the Texas Education Agency's current understanding of statute and applicable federal guidance.
2. The content of this presentation is subject to change as a result of future guidance and or other updates provided by federal agencies with regulatory oversight of these programs.
3. This presentation does not constitute legal advice, and entities are, therefore, advised to seek legal counsel regarding the information and guidance provided in this presentation before acting upon the information provided.

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Documentation Requested



Documenting overall compliance for a program requirement may require several forms of documentation to be maintained locally and available upon request by TEA and/or an auditor.

To ensure overall compliance with program requirements, LEAs should refer to the Program Guide and/or other program-related resources that reference the multiple forms of documentation required to be maintained locally.

The documentation requested for submission during the validation process may not include all forms of documentation that are required to be maintained locally.

Meeting Documentation

Documentation for virtual meetings is acceptable.



Given the increased use of virtual meeting environments, participant rosters that include the meeting title, meeting date, and stakeholder names and roles would be acceptable substitutes for the more traditional sign-in sheets. This eliminates the need of a participant signature.

Title I, Part A Programs

ESSA Section 1117(b)(1)

(b) Consultation

(1) In General. To ensure timely and meaningful consultation, a local educational agency shall consult with appropriate private school officials during the design and development of such agency's programs under this part. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman designated under subsection (a)(3)(B).

Title VIII Programs (Titles IC, IIA, IIIA, IVA, IVB)

ESSA Section 8501(c)(1)

(c) Consultation

(1) In General. To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity shall consult with appropriate private school officials. Such agency and private school officials shall both have the goal of reaching an agreement on how to provide equitable and effective programs for eligible private school children.



ESSA Statutory Program Requirement – Titles I, Part A, and VIII: Timely and Meaningful Consultation to Include PNP Affirmations of Consultation

Affirmations of Consultation Program Requirement

The LEA shall maintain in the agency's records and will provide to TEA a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period, the LEA shall forward to TEA the documentation that such consultation has, or attempts at such consultation have, taken place.

ESSA, Title I, Part A, Section 1117(b)(5) and Title VIII, Part F, Section 8501(c)(5)

Assurances Relating to Title I, Part A, Program, PNP Consultation

To ensure timely and meaningful consultation, the LEA shall consult with appropriate private school officials during the design and development of the LEA's Title I, Part A, programs. The LEA and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children.

Assurances Relating to Title VIII Programs (Title I, Part C; Title II, Part A; Title III, Part A, English Learner; Title III, Part A, Immigrant; and Title IV, Part A), PNP Consultation

The LEA will provide services to eligible children attending private elementary schools and secondary schools in accordance with Section 8501, and timely and meaningful consultation with private school officials regarding such services.

[Title I, Part C (#4, pages 43); Title II, Part A (#4, pages 57-58); Title III, Part A English Learner (#4) pages 60-61; Title III, Part A Immigrant (#4, page 63); Title IV, Part A (#4, pages 64-65)]

ESSA Statutory Assurances – Titles I, Part A, and VIII: Timely and Meaningful Consultation to Include PNP Affirmations of Consultation

Affirmation of Consultation Assurance

The LEA shall maintain in the agency's records and will provide to TEA a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period, the LEA shall forward to TEA the documentation that such consultation has, or attempts at such consultation have, taken place.

ESSA, Title I, Part A, Section 1117(b)(5) and Title VIII, Part F, Section 8501(c)(5)

LEA Compliance Report: PNP Compliance Self-Check – Timely and Meaningful Consultation

The LEA conducted timely and meaningful consultation with participating PNP school officials regarding the implementation of the ESSA programs according to ESSA Sections 1117 and/or 8501, as appropriate.

The consultation occurred before the LEA made any decisions that affect the opportunities of eligible PNP school children, teachers, and other educational personnel to participate in the program, and continue throughout the implementation and assessment of program activities.

[ESSA Sections 1117(b)(1) and 8501(c)]



Documentation Required— PNP Timely and Meaningful Consultation

Documentation Required

1.1

Evidence of ongoing consultation
[Meeting agendas]



Acceptable Documentation

Meeting agendas from two 2024-2025 ongoing LEA-PNP consultation meetings.

******For selected LEAs, TEA will also compare the 2024-2025 PNP Affirmation of Consultation forms submitted via the PNP Affirmations WorkApp and the 2024-2025 ESSA Consolidated Compliance Report, PR3099 Schedule, Part B, data to ensure that the number of participating PNP schools matches the number of affirmations submitted.

Documentation Required— PNP Timely and Meaningful Consultation (continued)

Documentation Required

1.2

Evidence of ongoing consultation
[Meeting notes]

Acceptable Documentation

Meeting notes from the 2024-2025
LEA-PNP consultation meetings
referenced in item 1.1, documenting
ongoing consultation.



Timely and Meaningful Consultation to Include PNP Affirmations of Consultation

Documentation Required –

Written documentation supporting timely and meaningful private nonprofit (PNP) consultation meetings

[To include TEA review of signed PNP Affirmations of Consultation forms submitted and the alignment with LEA's approved PR3099 Compliance Report]



Issues that may result in an "Improvement Needed" status

- Auditable documentation from the applicable PMV request was not submitted
- Documentation submitted did not reference the requested PNP validation requirement
- Documentation did not indicate ongoing consultation occurred during the specified year
- Documentation did not provide two dated samples from the requested school year
- Total signed Affirmation of Consultation forms for participating private nonprofit (PNP) schools per program, submitted via WorkApp, did not align with the LEA's ESSA PR3099 PNP Compliance Report data in the same year



Resources and Support

2025-2026 Program Monitoring Validations Process Online Resources



- **Overall Process Resources**

- 2025-2026 PMV Process Handbook
- Instructions for Submitting Documentation, Training Video, and Training Slides
- Navigating the Smartsheet WorkApp System Video

- **Program-Specific Resources**

- Guidance Documents for each Program/Requirement
- Training Videos and Training Slides for each Program/Requirement


[ESSA Program Monitoring Validations Webpage](#)

Federal Program Compliance Division

Program Monitoring Validations – PNP Timely & Meaningful Consultation

[ESSA Program Monitoring Validations Webpage](#)

Guidance Document



Federal Program Compliance

2025-2026 Program Monitoring Validation Guidance Document

Program: Private Nonprofit (PNP) Equitable Services

Requirement: Timely and Meaningful Consultation Meetings to include PNP Affirmations of Consultation

Documentation Requested

Documenting overall compliance for a program requirement may require several forms of documentation to be maintained locally and available upon request by TEA and/or an auditor. To ensure overall compliance with program requirements, LEAs should refer to the Program Guide and/or other program-related resources that reference the multiple forms of documentation required to be maintained locally. The documentation requested for submission during the validation process may not include all forms of documentation required to be maintained locally.

Please include the following selected documentation referenced in the table below to demonstrate compliance with the program requirements described. TEA will utilize the following table during the review of documentation to determine if the LEA submitted sufficient documentation to support LEA compliance.

The documentation submitted for TEA review should show evidence of compliance in the 2024-2025 grant year for the program requirement selected.


The following documentation is requested to be submitted by 5:00 pm CST on or before **December 19, 2025**, via the Federal Program Compliance Division Program Monitoring Validations Smartsheet WorkApp system.

Selected Documentation Required to be Submitted for Review	Year of Documentation Requested	Description of Acceptable Documentation
1.1 Evidence of ongoing consultation [Meeting agendas]	2024-2025	Meeting agendas from two 2024-2025 ongoing LEA-PNP consultation meetings. **For selected LEAs, TEA will also compare the 2024-2025 PNP Affirmation of Consultation forms submitted via the PNP Affirmations WorkApp and the 2024-2025 ESSA Consolidated Compliance Report, PR3099 Schedule, Part B, data to ensure that the number of participating PNP schools matches the number of affirmations submitted.
1.2 Evidence of ongoing consultation [Meeting notes]	2024-2025	Meeting notes from the 2024-2025 LEA-PNP consultation meetings referenced in Item 1.1, documenting ongoing consultation.

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V1.0 07/14/2025

Training Slides




2024-2025
Program Monitoring Validation (PMV) Training

**LEAs Providing Private Nonprofit (PNP) Equitable Services:
Timely and Meaningful Consultation**

September 2025

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Training Video



2024-2025
Program Monitoring Validation (PMV)

**LEAs Providing Private Nonprofit (PNP) Equitable Services:
Timely and Meaningful Consultation**

November 2024

**Texas Education Agency
Federal Program Compliance Division**

12:28

Federal Program Compliance Division

Program Monitoring Validations – PNP Timely and Meaningful Consultation



- Education Service Center (ESC) Support
 - Complimentary technical assistance and training are available from each regional ESC

Education Service Center ESSA Basic Services Initiative

LEA Private Nonprofit (PNP) Equitable Services Training, Technical Assistance and Guidance

- LEA PNP Equitable Services Requirements for Title I, Part A, and Title VIII Programs
- LEA ESSA Consolidated Grant Application, PS3099 Schedule
- LEA ESSA Consolidated Compliance Report, PR3099 Schedule
- **LEA PNP Equitable Services Program Monitoring Validations**



Thank You



**For all you do for the students and families you serve everyday!
You make a difference!**

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